SHERIDAN → PTO

Response to Final Office Action dated February 28, 2008 Serial No. 10/767,150 Page 7 of 9

REMARKS

In view of the following discussion, the Applicants respectfully submit that none of the presented claims now pending in the application is indefinite under the provisions of 35 U.S.C. §112. Thus the Applicants believe that all of the presented claims are now in allowable form.

I. OBJECTION TO CLAIMS 1 AND 18

The Examiner rejected claims 1 and 18 for informalities. In response, the Applicants have amended independent claims 1 and 18 in order to more clearly recite aspects of the present invention.

Specifically, independent claim 1 has been amended to recite "synthetic reflectance curves that <u>facilitate</u> matching colors ...," replacing "synthetic reflectance curves that <u>facilitates</u> matching colors ...," as suggested by the Examiner.

With regards to claim 18, the Applicants respectfully submit that "resolve" is the correct verb to describe the use of the synthetic reflectance curves with respect to the color differences between the two or more images (See, e.g., Applicants' published specification at paragraph 0084: "The synthetic reflectance curve facilitates producing a color that when applied to a simulated substrate will make that simulated substrate appear to have the same color as the reference sample and/or that facilitates resolving differences in apparent colors," emphasis added). However, the Applicants have amended claim 18 to recite "synthetic reflectance curves that resolve color differences," replacing "synthetic reflectance curves that resolves color differences."

In light of the above amendments and arguments, the Applicants respectfully submit that claims 1 and 18 are in allowable form. Accordingly, the Applicants respectfully request that the objection to claims 1 and 18 be withdrawn.

II. REJECTION OF CLAIMS 7, 14, AND 17 UNDER 35 U.S.C. §112

The Examiner rejected claims 7, 14, and 17 under 35 U.S.C. §112, second paragraph, for allegedly failing to particularly point out and distinctly claim the subject

779064

Response to Final Office Action dated February 28, 2008 Serial No. 10/767,150 Page 8 of 9

matter with the Applicants regard as the invention. In response, the Applicants have cancelled claims 7, 14, and 17 without prejudice. Accordingly, the Applicants respectfully submit that the rejection of claims 7, 14, and 17 under 35 U.S.C. §112, second paragraph be withdrawn.

III. ALLOWABLE SUBJECT MATTER

The Applicants thank the Examiner for the comments regarding the allowability of claims 1-6, 8-13, 15, 16, 18, and 19.

IV. VOLUNTARY AMENDMENTS

The Applicants have made several voluntary amendments to the claims in order to correct typographical errors.

V. CONCLUSION

Thus, Applicants submit that none of the claims presently in the application are indefinite under the provisions of 35 U.S.C. §112. Consequently, Applicants believe that all the pending claims are presently in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner telephone Mr. Kin-Wah Tong at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Response to Final Office Action dated February 28, 2008 Serial No. 10/767,150 Page 9 of 9

Respectfully submitted,

Kin-Wah Tong, Esq.

Reg. No. 39,400

Patterson & Sheridan, LLP 595 Shrewsbury Avenue - Suite 100 Shrewsbury, New Jersey 07702 Telephone: (732) 530-9404